

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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GEORGE BENN,

Plaintiff,

-against-

THE CITY OF NEW YORK, DET. FELIX CRUZ, Shield No. 1454, Individually and in his Official Capacity, DET. GERARD DIMURO, Shield No. 2615, Individually and in his Official Capacity, DET. "JOHN DOES" 1-2 of the 23rd Precinct of the New York City Police Department, Individually and in their Official Capacities, CORRECTIONS DEPARTMENT CAPTAIN DELROY MORRISON, Shield No. 1293, Individually and in his Official Capacity, C.O. XAVIER MCNEIL, Shield No. 12860, Individually and in his Official Capacity, C.O. MATTHEW LANDOW, Shield NO. 10333, Individually and in his Official Capacity, C.O. JONATHEN POWELL, Shield No. 6313, Individually and in his Official Capacity, C.O. JERMAIN PHILLIPS, Shield No. 8052, Individually and in his Official Capacity, C.O. GORDON NOEL, Shield NO. 3784, Individually and in his Official Capacity, C.O. SANDRA MURRAY, Shield No. 4672, Individually and in her Official Capacity,

Defendants.

**NOTICE OF
MOTION IN LIMINE**

18 Civ. 722 (LGS)

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PLEASE TAKE NOTICE that defendants Captain Delroy Morrison, Correction Officer Xavier McNeil, Correction Officer Matthew Landow, Correction Officer Jonathen Powell, Correction Officer Jermain Phillips, and Correction Officer Gordon Noel will move this Court before the Honorable Lorna G. Schofield, United States District Judge, at the United States District Court for the Southern District of New York, located at 40 Foley Square, New York, New York 10007, in advance of trial scheduled to commence on January 18, 2022, for an Order pursuant to the Federal Rules of Evidence to exclude certain evidence at trial, and relief as this Court deems just, proper, and equitable.

Dated: New York, New York
November 4, 2021

GEORGIA M. PESTANA
Corporation Counsel of the City of New York
*Attorney for Defendants Morrison, McNeil,
Landow, Powell, Phillips, and Noel*
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By: /s/ *Christopher G. Arko*

Christopher G. Arko
Senior Counsels

cc: Richard Soto, Esq. (by ECF)
Arthur Schwartz, Esq. (by ECF)
Attorneys for plaintiff